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disclose PHI pertaining to Timothy D. Kane to all attorneys now of record in this matter or who may become of record in the future of this litigation.

4. The parties and their attorneys shall be permitted to use the PHI of Timothy D. Kane in any manner that is reasonably connected with the above captioned litigation. This includes, but is not limited to, disclosures to the parties, their attorneys of record, the attorneys' firms (i.e., attorneys, support staff, agents and consultants), the parties' insurers, experts, consultants, court personnel, court reporters, copy services, trial consultants, jurors, venire members and other entities involved in the litigation process.

5. At the conclusion of the litigation (which shall be defined as the point at which final orders disposing of the entire case have been entered, or at the time at which trial or appellate proceedings have been exhausted), any person or entity in possession of PHI pertaining to Timothy D. Kane (other than the person or entity that generated the PHI) shall destroy any and all copies of said PHI in their possession.

6. This Order shall not control or limit the use of protected health information pertaining to Timothy D. Kane that comes into the possession of any party or any party's attorney from a source other than a "covered entity," as that term is defined in 45 CFR 160.103.

7. Nothing in this Order authorizes defense counsel to obtain medical records or information through means other than formal discovery requests, subpoenas, depositions, pursuant to patient authorization or through attorney-client communications.

8. The Court retains final authority to make any and all protected health information as defined herein public documents.

APR 11 2008  
ENTERED: \_\_\_\_\_

  
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George W. Lindberg  
United States District Judge